

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
LUBBOCK DIVISION

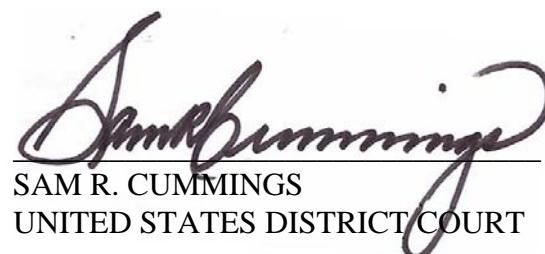
ISAIAH WHALEY, )  
                        )  
                        )  
Plaintiff,           )  
                        )  
                        )  
v.                     )  
                        )  
JO ANNE B. BARNHART, )  
Commissioner of Social Security, )  
                        ) Civil Action No.  
Defendant.           ) 5:05-CV-015-C

**ORDER**

Plaintiff is appealing an adverse decision of the Defendant, Jo Anne B. Barnhart, Commissioner of Social Security, pursuant to 42 U.S.C. § 405(g). The United States Magistrate Judge filed her Report and Recommendation on September 16, 2005. No written objections have been filed. It is, therefore,

**ORDERED** that the findings and conclusions in the Report and Recommendation are hereby **ADOPTED** as the findings and conclusions of the Court and that the above-styled and numbered cause is hereby reversed and remanded to the Commissioner for further proceedings.

Dated October 20, 2005.



SAM R. CUMMINGS  
UNITED STATES DISTRICT COURT